IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA AT CHANDIGARH.

C.O.C.P.No.557 of 2004
Date of Decision:-10.8.2009

Prof.S.K.Kalra

...Petitioner

Versus

S.Jagmohan Singh and another ...Respondents

CORAM: HON'BLE MR.JUSTICE RAKESH KUMAR GARG

Present: Mr.Saurabh Garg, Advocate for the petitioner.

Mr.Jatin Salwan, Advocate for the respondents.

Rakesh Kumar Garg, J. (Oral):

In response to the show cause notice issued by this Court, reply on behalf of the respondents has been filed by way of affidavit of Jagmohan Singh son of Jaswant Singh, Officiating Principal, Malwa College, Samrala, District Ludhiana. The respondents have also handed over two drafts amounting to Rs.1,77,682/- and Rs.23,744/- on account of gratuity and leave encashment of the petitioner.

Learned counsel appearing on behalf of the petitioner states that in view of the order dated 17.11.2008 passed by this Court in CWP No.16730 of 1998, the petitioner is also entitled to interest at the rate of 9% per annum for the delayed payment. According to him, the petitioner retired on 31.1.1997 whereas payment of gratuity and leave encashment has been made today in Court.

Learned counsel appearing on behalf of the respondents has very fairly stated that the respondents shall also pay interest at the rate of 9% per annum on the amount of gratuity and leave encashment. The respondents shall be bound by the statement made by their counsel. The respondents will calculate the amount of interest with effect from 1.4.1997 on the amount of DCRG and leave encashment of the petitioner and pay the balance amount within six weeks from today.

This satisfies the petitioner. Learned counsel appearing on behalf of the petitioner does not wish to press this petition.

Dismissed as not pressed.

Rule discharged.

10.8.2009 (Rakesh Kumar Garg)
AS Judge